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Washington, Saturday, March 26, 1949

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10046

TRANSFERRING CERTAIN LANDS FROM THE DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF THE INTERIOR AND WITHDRAWING PUBLIC LANDS FOR THE USE OF THE DEPARTMENT OF AGRICULTURE

ARIZONA, COLORADO, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, SOUTH DAKOTA, UTAH, AND WYOMING

By virtue of the authority vested in me by section 32 of Title III of the Bankhead-Jones Farm Tenant Act of July 22, 1937, 50 Stat. 522, 525 (7 U. S. C. 1011), and as President of the United States, and upon the recommendation of the Secretary of Agriculture and the Secretary of the Interior, it is ordered as follows:

SECTION 1. Subject to valid existing rights, jurisdiction over all lands in the following-described areas acquired or in process of acquisition under Title III of the Bankhead-Jones Farm Tenant Act, or transferred by Executive Order No. 7908 of June 9, 1938, as amended by Executive Order No. 8531 of August 31, 1940, to the Secretary of Agriculture for use, administration and disposition in accordance with the provisions of the said Act, together with waters or water rights, improvements, and structures acquired or constructed in connection with the use and administration of said lands, is hereby transferred to the Department of the Interior, and the lands shall be administered under the Taylor Grazing Act, 48 Stat. 1269 (43 U. S. C. 315), as amended: *PROVIDED*, That the transfer of jurisdiction over those lands that are in process of acquisition shall take effect upon the completion of acquisition thereof by the Secretary of Agriculture:

ARIZONA

SAN SIMON PROJECT (AZ–LU–21)

Gila and Salt River Meridian

T. 7 S., R. 27 E.,
secs. 25 to 36, inclusive.
T. 8 S., R. 27 E.
Tps. 12 and 13 S., R. 27 E.
Tps. 10 to 14 S., R. 28 E.
Tps. 11 to 14 S., R. 29 E.
Tps. 10 to 14 S., R. 30 E.
T. 15 S., R. 30 E.,
secs. 1 to 6, 9 to 14, 23 to 26, inclusive, 35 and 36.
Tps. 11 to 15 S., R. 31 E.
Tps. 13 and 14 S., R. 32 E.
T. 15 S., R. 32 E.,
secs. 2 to 11 and 14 to 18, inclusive.

The lands administered under Title III of the Bankhead-Jones Farm Tenant Act in the above described area aggregate approximately 44,980 acres. The state land grazing leaseholds relinquished in connection with the said San Simon Project aggregate approximately 30,907 acres.

COLORADO

GREAT DIVIDE PROJECT (CO–LU–23)

Sixth Principal Meridian

T. 9 N., R. 90 W.,
sec. 29, Lot 16;
secs. 31 and 32.
Tps. 9 and 10 N., R. 91 W.
T. 8 N., R. 92 W.,
sec. 3, Lots 5, 6, 11 and 12.
Tps. 9 and 10 N., R. 92 W.
Tps. 9 and 10 N., R. 93 W.
T. 11 N., R. 93 W.,
sec. 33, SE¼;
sec. 34, SW¼SW¼.
T. 8 N., R. 94 W.,
sec. 2, Lot 1;
sec. 3, Lot 4.
Tps. 9 and 10 N., R. 94 W.
T. 11 N., R. 94 W.,
secs. 31 to 33, inclusive.
Tps. 9 and 10 N., R. 95 W.
T. 11 N., R. 95 W.,
sec. 27, S½;
secs. 28 to 36, inclusive.

The lands administered under Title III of the Bankhead-Jones Farm Tenant Act in the above described area aggregate approximately 37,536 acres.

NEVADA

MEADOW VALLEY PROJECT (NV–LU–21)

Mt. Diablo Meridian

T. 12 S., R. 65 E.,
secs. 25, 26 and 36.
T. 5 S., R. 66 E.,
sec. 22.
T. 6 S., R. 66 E.,
sec. 2.
T. 4 S., R. 67 E.,
sec. 11.
T. 7 S., R. 67 E.,
secs. 26, 27, 28, 34 and 35.
T. 8 S., R. 67 E.,
secs. 27 and 34.

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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secs. 3, 4 and 9.
T. 4 S., R. 69 E.,
sec. 35.
T. 5 S., R. 69 E.,
secs. 1, 2 and 11.
T. 4 S., R. 71 E.,
secs. 31 and 32.

The lands administered under Title III of the Bankhead-Jones Farm Tenant Act in the above described area aggregate approximately 3,375 acres together with all water and water rights appurtenant to said land.

NEW MEXICO

CUBA-RIO PUERCO PROJECT (NM–LU–22)

New Mexico Principal Meridian

T. 15 N., R. 1 E.,
secs. 4, 5, 7 to 9, 16 to 21, and 28 to 33, inclusive.
T. 15 N., R. 1 W.
T. 18 N., R. 1 W.
T. 20 N., R. 1 W.,
sec. 2;
sec. 3, S½NE¼, S½;
sec. 4, NE¼, S½NW¼, S½;
secs. 5 to 11, 14 to 23 and 26 to 35, inclusive.
Tps. 17 and 18 N., R. 2 W.
T. 19 N., R. 2 W.,
secs. 1 and 2;
sec. 3, E½, SE¼SW¼;
sec. 8, S½S½;
sec. 9, S½S½;
sec. 10, E½, E½W½, SW¼SW¼;
secs. 11 to 36, inclusive.
T. 20 N., R. 2 W.,
sec. 1;
sec. 2, S½NE¼, S½;
sec. 3, SE¼;
secs. 10 to 16 and 22 to 27, inclusive;

sec. 35, E½, E½NW¼, SW¼;
sec. 36.
Tps. 17 and 18 N., R. 3 W.
T. 19 N., R. 3 W.,
secs. 7 and 18 to 36, inclusive.
T. 16 N., R. 4 W.,
secs. 1 to 25 and 27 to 30, inclusive.
T. 17 N., R. 4 W.
T. 19 N., R. 4 W.
T. 20 N., R. 4 W.,
secs. 4 to 9, inclusive;
sec. 10, S½NE¼, NW¼, S½;
secs. 15 to 22 and 27 to 34, inclusive
T. 16 N., R. 5 W.
T. 17 N., R. 5 W.
T. 21 N., R. 5 W.,
secs. 1 to 9, inclusive;
sec. 10, N½;
sec. 11, N½;
sec. 12, N½;
secs. 16 to 21 and 28 to 33, inclusive.

The lands administered under Title III of the Bankhead-Jones Farm Tenant Act in the above described area aggregate approximately 25,199 acres.

OREGON

FORT ROCK PROJECT (OR-LU-21)

Willamette Meridian

T. 24 S., R. 13 E.,
secs. 35 and 36.
T. 25 S., R. 13 E.,
secs. 1 to 3, inclusive;
sec. 9, E½;
secs. 10 to 16, inclusive;
sec. 17, SE¼;
sec. 20, E½;
secs. 21 to 28, inclusive;
sec. 29, NE¼, S½;
secs. 32 to 36, inclusive.
T. 26 S., R. 13 E.,
secs. 1 to 4, 9 to 16, 21 to 28 and 33 to 36, inclusive.
T. 27 S., R. 13 E.,
secs. 1 to 4, 9 to 16, 23 to 26 and 33 to 36, inclusive.
T. 24 S., R. 14 E.,
sec. 1;
sec. 2, E½;
sec. 10, S½;
secs. 11 to 16 and 20 to 36, inclusive.
Tps. 25 and 26 S., R. 14 E.
T. 27 S., R. 14 E.,
secs. 1 to 12, inclusive;
sec. 13, N½;
secs. 15 to 22 and 28 to 32, inclusive.
T. 23 S., R. 15 E.,
secs. 31 to 34, inclusive.
Tps. 24 to 26 S., R. 15 E.
T. 27 S., R. 15 E.,
secs. 1 to 18, 20 to 29 and 32 to 36, inclusive.
T. 23 S., R. 16 E.,
secs. 1, 2, 11 to 14, 23 to 27 and 34 to 36, inclusive.
Tps. 24, 25 and 26 S., R. 16 E.
T. 23 S., R. 17 E.

The lands administered under Title III of the Bankhead-Jones Farm Tenant Act in the above described area aggregate approximately 97,500 acres.

UTAH

CENTRAL UTAH PROJECT (UT-LU-3)

Salt Lake Meridian

Tps. 10 and 11 S., R. 3 W.,
T. 9 S., R. 4 W.,
secs. 1 to 6, inclusive;
sec. 7, N½N½;
sec. 8, N½, NE¼SW¼, SE¼;
secs. 9 to 16, inclusive;
sec. 17, E½E½, NW¼NE¼;
sec. 20, E½NE¼, NE¼SE¼;
sec. 21, N½, N½S½, SE¼SE¼;
secs. 22 to 26, inclusive;
sec. 27, E½, E½W½;
sec. 34, E½NE¼, NW¼NE¼;
secs. 35 and 36.
T. 10 S., R. 4 W.,
secs. 1 to 4, inclusive;
sec. 5, SE¼SE¼;
sec. 8, E½E½;
secs. 9 to 16, inclusive;
sec. 17, E½NE¼, SE¼;
secs. 19 to 36, inclusive.
T. 11 S., R. 4 W.

The lands administered under Title III of the Bankhead-Jones Farm Tenant Act in the above described area aggregate approximately 20,131 acres.

WYOMING

NORTHEASTERN WYOMING PROJECT (WY-LU-21)

Sixth Principal Meridian

T. 43 N., R. 62 W.
T. 45 N., R. 63 W.,
secs. 1 to 12, inclusive;
sec. 14, NW¼;
sec. 15, N½, N½SW¼;
secs. 16 to 18, inclusive.
T. 46 N., R. 63 W.,
secs. 1 and 2;
sec. 4, W½NW¼, S½;
secs. 5 to 36, inclusive.
T. 47 N., R. 63 W.,
sec. 1;
secs. 11 to 14, inclusive;
sec. 23, E½, NW¼, NW¼SW¼, E½SW¼;
secs. 24 and 25;
sec. 26, E½, NE¼NW¼;
sec. 35, NE¼, S½S½, NE¼SE¼;
sec. 36.
T. 45 N., R. 64 W.,
secs. 1, 12 and 13.
T. 46 N., R. 64 W.,
secs. 1 to 3, 10 to 15 and 22 to 27, inclusive;
sec. 35, N½;
sec. 36.
T. 41 N., R. 66 W.,
secs. 1 and 2;
sec. 5, S½;
sec. 6, S½;
secs. 7 to 9, inclusive;
sec. 10, S½N½, S½;
secs. 11 to 18, inclusive;
sec. 19, N½;
sec. 20, N½;
sec. 21, N½, E½SW¼, SE¼;
secs. 22 to 24, inclusive;
sec. 25, N½;
sec. 26, N½;
sec. 27, N½;
sec. 28, NE¼, E½NW¼.
T. 45 N., R. 67 W.,
secs. 1 to 18, inclusive.
T. 46 N., R. 67 W.,
secs. 3 to 10, 15 to 22 and 27 to 34, inclusive.
T. 47 N., R. 67 W.,
secs. 1 to 12, inclusive;
sec. 14, W½;
secs. 15 to 22 and 27 to 34, inclusive
T. 48 N., R. 67 W.,
secs. 1 to 24 and 26 to 36, inclusive.
Tps. 45, 46, 47 and 48 N., R. 68 W.
T. 46 N., R. 69 W.,
sec. 25, W½E½, W½;
sec. 26, E½E½.
T. 48 N., R. 69 W.,
sec. 13, SE¼SW¼, S½SE¼;
sec. 24, NE¼, E½NW¼, N½SE¼.

The lands administered under Title III of the Bankhead-Jones Farm Tenant Act in the above described area aggregate approximately 10,195 acres.

SECTION 2. Subject to valid existing rights and withdrawals, and to the provisions of said Executive Order No. 7908, as amended by Executive Order No. 8531 of August 31, 1940, the public lands within the following-described areas, being found suitable for the purposes of Title III of the said Bankhead-Jones Farm Tenant Act, are hereby withdrawn from all forms of appropriation under the public land laws, except the mining and mineral-leasing laws, and reserved for use, administration, and disposition in accordance with the provisions of Title III of the said Bankhead-Jones Farm Tenant Act and the related provisions of Title IV thereof, and the jurisdiction thereover is transferred to the Department of Agriculture:

COLORADO

NORTHEAST COLORADO PROJECT (CO-LU-21)

Sixth Principal Meridian

Tps. 8 to 12 N., R. 56 W.
Tps. 8 to 12 N., R. 57 W.
Tps. 8 to 12 N., R. 58 W.
Tps. 8 to 12 N., R. 59 W.
Tps. 8 to 12 N., R. 60 W.
T. 10 N., R. 62 W.,
secs. 5 to 8, inclusive;
secs. 17 and 20.
T. 8 N., R. 63 W.,
secs. 3 to 10, 15 to 23, and 26 to 35, inclusive.
T 8 N., R. 64 W.,
secs. 1 to 3, 9 to 17, and 20 to 36, inclusive.
T. 8 N., R. 65 W.,
secs. 25, 26 and 36.
T. 10 N., R. 66 W.,
secs. 3, 4 and 9.
T. 11 N., R. 66 W.,
secs. 25, 26, 28, and 33 to 35, inclusive.

The areas described, including both public and non-public lands, aggregate approximately 562,176 acres.

COLORADO

SOUTHEAST COLORADO PROJECT (CO-LU-22)

Sixth Principal Meridian

Tps. 33 to 35 S., R. 44 W.
Tps. 31 to 35 S., R. 45 W.
Tps. 31 to 35 S., R. 46 W.
Tps. 31 to 35 S., R. 47 W.
Tps. 31 to 35 S., R. 48 W.
Tps. 31 to 35 S., R. 49 W.
Tps. 31 to 35 S., R. 50 W.
T. 31 S., R. 51 W.,
sec. 12, S½;
sec. 13;
sec. 14, E½;
sec. 17, SW¼SW¼;
secs. 19 to 36, inclusive.
T. 32 S., R. 51 W.
T. 31 S., R. 52 W.,
sec. 20, E½;
secs. 21 to 29, inclusive;
sec. 30, NE¼SE¼, S½SE¼;
secs. 31 to 36, inclusive.
T. 32 S., R. 52 W.,
T. 31 S., R. 53 W.,
sec. 19, E½, E½W½;
secs. 20 to 29, inclusive;
sec. 30, E½, E½NW¼, NE¼SW¼;
secs. 32 to 36, inclusive.
T. 32 S., R. 53 W.
T. 33 S., R. 53 W.,
sec. 3, Lots 1 and 2, SW¼NE¼, W½, W½SE¼;
secs. 4 to 9, inclusive;
sec. 10, W½, W½E½;
sec. 17, N½N½, SW¼NW¼, W½SW¼;
sec. 18, Lot 3, N½, NE¼SW¼, SE¼;
sec. 19, NE¼, N½SE¼.
T. 32 S., R. 54 W.,
sec. 1, E½;
sec. 12, E½, SW¼;
secs. 13 to 36, inclusive.
T. 33 S., R. 54 W.,
secs. 1 to 12, inclusive;
sec. 13, N½, N½S½, SW¼SW¼;
sec. 14;
sec. 15, N½, N½S½, SW¼SW¼;
secs. 16 to 18, inclusive;
sec. 23, N½, SE¼;

sec. 24, W½NW¼;
sec. 26, E½NE¼, NW¼NE¼, NE¼NW¼.
T. 32 S., R. 55 W.,
sec. 11, SE¼SW¼, SW¼SE¼;
secs. 13 to 36, inclusive.
T. 33 S., R. 55 W.,
secs. 1 to 18, inclusive;
sec. 22, NE¼NE¼.

The area described, including both public and non-public lands, aggregates approximately 835,759 acres.

NEW MEXICO

UNION COUNTY PROJECT (NM–LU–21)

New Mexico Principal Meridian

T. 28 N., R. 34 E.,
sec. 12, SE¼.
T. 24 N., R. 35 E.,
secs. 1 to 6, inclusive;
sec. 9, E½, NW¼, E½SW¼;
secs. 10 to 15, inclusive;
sec. 21, N½, SE¼;
secs. 22 to 26, inclusive;
sec. 27, E½;
sec. 34, E½, E½W½;
sec. 35, N½, SW¼;
sec. 36, N½, SW¼, W½SE¼.
T. 25 N., R. 35 E.,
sec. 1, NE¼SW¼, S½SW¼, SE¼;
sec. 2, SE¼SW¼, SE¼SE¼;
sec. 11, N½, SE¼;
secs. 12 and 13;
sec. 14, E½;
sec. 19, Lot 2, SE¼NW¼, S½NE¼, S½;
sec. 20, NE¼, S½NW¼, S½;
sec. 21, NW¼, S½;
sec. 22, S½;
sec. 23, NE¼, E½NW¼, S½;
secs. 24 to 36, inclusive.
T. 27 N., R. 35 E.,
secs. 1 and 2;
sec. 3, E½;
secs. 11 and 12;
sec. 13, N½, N½S½;
sec. 14, NE¼, N½NW¼.
T. 28 N., R. 35 E.,
sec. 2, W½;
secs. 3 to 5, inclusive;
sec. 6, E½, SE¼SW¼;
sec. 7, Lot 2, NE¼, E½NW¼, S½;
secs. 8 to 10, inclusive;
sec. 11, NW¼, S½;
sec. 12, SE¼NE¼, S½;
secs. 13 to 17, inclusive;
sec. 18, N½, SE¼;
sec. 20, N½NW¼;
sec. 21, E½;
secs. 22 to 27, inclusive;
sec. 33, S½NE¼;
sec. 34, N½, N½SW¼, SE¼;
secs. 35 and 36.
T. 23, N., R. 36 E.,
secs. 1 and 2;
sec. 11, N½, SE¼;
sec. 12.
T. 24 N., R. 36 E.,
secs. 1 to 30, inclusive;
sec. 31, N½;
sec. 32, N½, SE¼;
secs. 33 to 36, inclusive.
T. 25 N., R. 36 E.
T. 26 N., R. 36 E.,
secs. 1 to 5 and 8 to 17, inclusive;
sec. 18, NE¼;
secs. 20 to 29 and 31 to 36, inclusive.
T. 27 N., R. 36 E.,
secs. 1 to 16, inclusive;
sec. 17, E½, NW¼, NE¼SW¼;
sec. 18, N½SW¼;
secs. 20 to 28, inclusive;
sec. 29, N½, S½S½;
secs. 32 to 36, inclusive.
T. 28 N., R. 36 E.,
sec. 11, SE¼;
sec. 12, S½NE¼, S½;
sec. 13;
sec. 14, NE¼, S½;
sec. 15, NE¼, S½NW¼, S½;
sec. 16;
sec. 17, NE¼SW¼, S½SW¼, SE¼;
sec. 18, Lot 2, SE¼NW¼, SW¼NE¼, SW¼, S½SE¼;
sec. 19 to 36, inclusive.
T. 23 N., R. 37 E.,
secs. 6 and 7.
T. 24 N., R. 37 E.
Tps. 26 and 27 N., R. 37 E.
T. 28 N., R. 37 E.,
sec. 5, E½, SE¼NW¼, SW¼;
sec. 6, SE¼, S½SW¼;
secs. 7, 8, 17 to 20, and 29 to 32, inclusive.
T. 29 N., R. 37 E.,
sec. 32, Lot 4.

The area described, including both public and non-public lands, aggregates approximately 164,382 acres.

NEW MEXICO

CUBA-RIO PUERCO PROJECT (NM–LU–22)

New Mexico Principal Meridian

T. 20 N., R. 1 W.,
sec. 3, Lots 1 and 2, NW¼;
sec. 4, Lots 3 and 4.
T. 21 N., R. 1 W.,
secs. 4 to 6, inclusive;
sec. 7, E½;
secs. 8 and 9;
sec. 10, W½NW¼SW¼, SW¼SW¼;
secs. 14 to 17, inclusive;
sec. 18, E½;
sec. 19, E½;
secs. 20 to 23, inclusive;
secs. 26 to 35, inclusive.
T. 22 N., R. 1 W.,
secs. 4 to 9, 16 to 21, and 28 to 33, inclusive.
T. 19 N., R. 2 W.,
sec. 3, NW¼, N½SW¼, SW¼SW¼;
secs. 4 to 7, inclusive;
sec. 8, N½, N½S½;
sec. 9, N½, N½S½;
sec. 10, W½NW¼, NW¼SW¼.
T. 20 N., R. 2 W.,
sec. 2, Lots 1 and 2, NW¼;
sec. 3, N½, SW¼;
secs. 4 to 9, 17 to 21, and 28 to 34, inclusive;
sec. 35, W½NW¼.
T. 21 N., R. 2 W.,
secs. 1 to 10, 15 to 22, and 27 to 34, inclusive.
T. 19 N., R. 3 W.,
secs. 1 to 6, and 8 to 17, inclusive.
Tps. 20 and 21 N., R. 3 W.
T. 20 N., R. 4 W.,
secs. 1 to 3;
sec. 10, N½NE¼;
secs. 11 to 14, 23 to 26, inclusive, 35 and 36.
T. 21 N., R. 4 W.
T. 21 N., R. 5 W.,
sec. 10, S½;
sec. 11, S½;
sec. 12, S½;
secs. 13 to 15, 22 to 27, and 34 to 36, inclusive.

The area described, including both public and non-public lands, aggregates approximately 156,724 acres.

NORTH DAKOTA

SHEYENNE RIVER PROJECT (ND–LU–6)

Fifth Principal Meridian

T. 130 N., R. 50 W.,
sec. 3, NW¼;
sec. 4, N½, SW¼, W½SE¼;
sec. 5;
sec. 8, N½NE¼.
T. 131 N., R. 50 W.,
sec. 28, S½S½;
sec. 29, S½;
sec. 31, E½;
secs. 32 and 33;
sec. 34, W½.
T. 133 N., R. 52 W.,
secs. 1 to 18, inclusive.
T. 134 N., R. 52 W.,
sec. 4, W½;
secs. 5 to 8 and 17 to 20, inclusive;
sec. 24, SW¼;
secs. 25 to 36, inclusive.
T. 135 N., R. 52 W.,
secs. 1 to 21 and 28 to 32, inclusive;
sec. 33, W½.
T. 136 N., R. 52 W.,
sec. 31, Lots 3 and 4;
sec. 33, That part south of Sheyenne River.
T. 133 N., R. 53 W.,
secs. 1 to 14, inclusive.
Tps. 134 and 135 N., R. 53 W.
T. 136 N., R. 53 W.,
sec. 24, W½;
secs. 25, 26, and 33 to 36, inclusive.
T. 134 N., R. 54 W.,
secs. 1 to 3, 10 to 15, 22 to 27, inclusive, and 36.
T. 135 N., R. 54 W.,
secs. 1, 12, 13, 22 to 27, and 34 to 36, inclusive.

The area described, including both public and non-public lands, aggregates approximately 122,535 acres.

NORTH DAKOTA

WESTERN NORTH DAKOTA PROJECT (ND–LU–24)

Fifth Principal Meridian

T. 136 N., R. 99 W.
T. 143 N., R. 99 W.,
secs. 3 to 10, 15 to 22, and 27 to 34, inclusive.
T. 144 N., R. 99 W.,
Tps. 136 and 137 N., R. 100 W.
T. 138 N., R. 100 W.,
secs. 1 to 6, 9 to 16, 20 to 29 and 32 to 36, inclusive.
T. 139 N., R. 100 W.
T. 140 N., R. 100 W.,
secs. 1 to 6, inclusive;
sec. 7, exclusive of Theodore Roosevelt National Memorial Park established by Public Law 620, 80th Congress, 2nd Session, approved June 10, 1948.
secs. 8 to 16, inclusive;
sec. 17, exclusive of Theodore Roosevelt National Memorial Park.
secs. 21 to 28, and 33 to 36, inclusive.
T. 141 N., R. 100 W.,
secs. 1 to 3, 10 to 15, 22 to 27, and 34 to 36, inclusive.
T. 142 N., R. 100 W.,
secs. 1 to 5, 9 to 15, 22 to 27, and 34 to 36, inclusive.
T. 143 N., R. 100 W.
Tps. 134 to 136 N., R. 101 W.
T. 140 N., R. 101 W.,
secs. 1, 2 and 12, exclusive of Theodore Roosevelt National Memorial Park.
T. 133 N., R. 102 W.,
secs. 4 to 9, 16 to 21, and 28 to 33, inclusive.
Tps. 134 to 136 N., R. 102 W.
Tps. 133 to 136 N., R. 103 W.
Tps. 133 to 136 N., R. 104 W.
Tps. 133 to 136 N., R. 105 W.
Tps. 133 to 136 N., R. 106 W.

The area described, including both public and non-public lands, aggregates approximately 733,591 acres.

OKLAHOMA

ROGER MILLS PROJECT (OK–LU–22)

Indian Meridian

T. 14 N., R. 21 W.,
secs. 1 to 12, inclusive.
T. 15 N., R. 21 W.,
secs. 19 to 36, inclusive.
T. 16 N., R. 21 W.,
secs. 7 to 9, 16 to 19, inclusive, and 30.
Tps. 14 and 15 N., R. 22 W.
T. 16 N., R. 22 W.,
secs. 10 to 15, 22 to 27, and 34 to 36, inclusive.
Tps. 13 and 14 N., R. 23 W.
T. 15 N., R. 23 W.,
secs. 1, 2, and 11 to 36, inclusive.
Tps. 13 and 14 N., R. 24 W.

T. 15 N., R. 24 W.,
secs. 7 and 13 to 36, inclusive.
T. 13 N., R. 25 W.,
secs. 1 to 5, 9 to 16, 21 to 28, and 33 to 36, inclusive.
T. 14 N., R. 25 W.
T. 15 N., R. 25 W.,
secs. 7 to 36, inclusive.
T. 14 N., R. 26 W.,
secs. 1 to 3, 8 to 17, 20 to 29, and 32 to 36, inclusive.
T. 15 N., R. 26 W.,
secs. 10 to 15, 22 to 27, and 34 to 36, inclusive.

The area described, including both public and non-public lands, aggregates approximately 291,844 acres.

OKLAHOMA

MC CURTAIN COUNTY PROJECT (OK–LU–24)

Indian Meridian

T. 8 S., R. 24 E.,
secs. 7 to 27, and 34 to 36, inclusive.
T. 9 S., R. 24 E.,
secs. 1 and 2.
T. 7 S., R. 25 E.,
secs. 11 to 18, inclusive, those parts south of Little River;
sec. 19;
sec. 20, that part south of Little River and those portions of the W½SW¼, SE¼SW¼, north of Little River;
sec. 21, that part south of Little River;
secs. 22 to 36, inclusive.
T. 8 S., R. 25 E.
T. 9 S., R. 25 E.,
secs. 1 to 6, 8 to 17, 20 to 24, inclusive.
T. 7 S., R. 26 E.,
secs. 9 and 10, those parts south of Little River;
secs. 12 to 20, inclusive, those parts south of Little River;
secs. 21 to 36, inclusive.
Tps. 8 and 9 S., R. 26 E.
T. 7 S., R. 27 E.,
secs. 7, 15, 16, 17 and 18, those parts south of Little River;
sec. 19;
secs. 20 and 21, those parts south of Little River;
sec. 22;
secs. 27 to 34, inclusive;
Tps. 8 and 9 S., R. 27 E.

The area described, including both public and non-public lands, aggregates approximately 157,564 acres.

SOUTH DAKOTA

SOUTH CENTRAL SOUTH DAKOTA PROJECT (SD–LU–2)

Fifth Principal Meridian

T. 108 N., R. 77 W.,
secs. 4 to 9 and 16 to 18, inclusive.
T. 109 N., R. 77 W.,
secs. 4 to 9, 16 to 21, and 28 to 33, inclusive.
T. 106 N., R. 78 W.,
secs. 4 to 9 and 16 to 18, inclusive.
T. 107 N., R. 78 W.,
secs. 2 to 10, inclusive;
sec. 11, W½NE¼, W½;
sec. 14, W½;
secs. 15 to 22, inclusive;
sec. 23, W½, SE¼;
secs. 28 to 33, inclusive.
Tps. 108 and 109 N., R. 78 W.
T. 106 N., R. 79 W.,
secs. 1 to 18, inclusive.
Tps. 107 to 109 N., R. 79 W.

Black Hills Meridian

T. 2 N., R. 30 E.,
sec. 13;
sec. 14, NE¼.
Tps. 1 to 3 N., R. 31 E.,

The area described, including both public and non-public lands, aggregates approximately 208,155 acres.

SOUTH DAKOTA

PERKINS-CORSON PROJECT (SD–LU–21)

Black Hills Meridian

Tps. 22 and 23 N., R. 11 E.
Tps. 20 N., R. 12 E.
Tps. 22 and 23 N., R. 12 E.
Tps. 19 to 23 N., R. 13 E.
Tps. 19 to 22 N., R. 14 E.
Tps. 20 and 21 N., R. 15 E.
Tps. 20 and 21 N., R. 16 E.
T. 18 N., R. 17 E.,
sec. 1;
sec. 2, Lots 5 to 10, inclusive, S½NE¼, SE¼;
sec. 11, Lots 5 to 8, inclusive, E½;
secs. 12 and 13;
sec. 14, Lots 5 to 8, inclusive, E½;
sec. 23, Lots 5 to 8, inclusive, E½;
secs. 24 and 25;
sec. 26, Lots 5 to 8, inclusive, E½;
sec. 35, Lots 5 to 8, inclusive, E½;
sec. 36.
T. 19 N., R. 17 E.,
sec. 11, Lots 5 to 8, inclusive, E½;
secs. 12 and 13;
sec. 14, Lots 5 to 8, inclusive, E½;
sec. 22, E½NE¼;
sec. 23, Lots 1, 2, 3, 5, 6, 7, 8, E½;
secs. 24 and 25;
sec. 26, Lots 5 to 8, inclusive, E½;
sec. 35, Lots 5 to 8, inclusive, E½;
sec. 36.
T. 20 N., R. 17 E.,
sec. 2, Lots 1 to 4, inclusive;
secs. 3 to 10, inclusive;
sec. 11, Lots 1 to 4, inclusive;
sec. 14, Lots 1 to 4, inclusive;
secs. 15 to 22, inclusive;
sec. 23, Lots 1 to 4, inclusive;
sec. 26, Lots 1 to 4, inclusive;
secs. 27 to 34, inclusive;
sec. 35, Lots 1 to 4, inclusive.
T. 21 N., R. 17 E.,
sec. 3, Lots 1 to 5, inclusive, SW¼NW¼, W½SW¼;
secs. 4 to 9, inclusive;
sec. 10, Lots 1 to 4, inclusive, W½W½;
sec. 15, Lots 1 to 4, inclusive, W½W½;
secs. 16 to 21, inclusive;
sec. 22, Lots 1 to 4, inclusive, W½W½;
sec. 27, Lots 1 to 4, inclusive, W½W½;
secs. 28 to 33, inclusive;
sec. 34, Lots 1 to 4, inclusive, W½W½.
T. 18 N., R. 18 E.
T. 19 N., R. 18 E.,
secs. 7, 8, and 13 to 36, inclusive.

The area described, including both public and non-public lands, aggregates approximately 456,698 acres.

UTAH

CENTRAL UTAH PROJECT (UT–LU–3)

Salt Lake Meridian

T. 9 S., R. 4 W.,
sec. 7, Lot 2, SE¼NW¼, S½NE¼, S½;
sec. 8, W½SW¼, SE¼SW¼;
sec. 17, SW¼NE¼, W½, W½SE¼;
secs. 18 and 19;
sec. 20, W½NE¼, W½, W½SE¼, SE¼SE¼;
sec. 21, S½SW¼, SW¼SE¼;
sec. 27, W½W½;
secs. 28 to 33, inclusive;
sec. 34, SW¼NE¼, W½, SE¼.
T. 10 S., R. 4 W.,
sec. 5, Lots 1 to 4, S½SW¼, SW¼SE¼;
secs. 6 and 7;
sec. 8, W½, W½E½;
sec. 17, W½NE¼, W½;
sec. 18.
T. 9 S., R. 5 W.
T. 9 S., R. 6 W., partly unsurveyed
secs. 1 to 5, inclusive;
sec. 6, N½;
secs. 9 to 16, inclusive;
sec. 21, NE¼;
secs. 22 to 26, inclusive;
sec. 36.

The area described, including both public and non-public lands, aggregates approximately 46,410 acres.

WYOMING

NORTHEASTERN WYOMING PROJECT (WY–LU–21)

Sixth Principal Meridian

T. 44 N., R. 62 W.,
sec. 4, Lot 4, SW¼NW¼, W½SW¼;
secs. 5 to 7, inclusive;
sec. 8, W½, W½E½.
T. 45 N., R. 62 W.,
sec. 31, Lot. 4, SE¼SW¼.
Tps. 41 to 44 N., R. 63 W.
T. 45 N., R. 63 W.,
sec. 13;
sec. 14, NE¼, S½;
sec. 15, S½SW¼, SE¼;
secs. 19 to 36, inclusive.
T. 46 N., R. 63 W.,
sec. 3;
sec. 4, Lot 3, NE¼, SE¼NW¼;
T. 47 N., R. 63 W.,
secs. 2 to 10 and 15 to 22, inclusive;
sec. 23, SW¼SW¼;
sec. 26, NW¼NW¼, S½NW¼, SW¼;
secs. 27 to 34, inclusive;
sec. 35, NW¼, N½SW¼, NW¼SE¼.
T. 48 N., R. 63 W.,
secs. 4 to 9, 16 to 21, and 28 to 33, inclusive.
T. 41 N., R. 64 W.,
secs. 1 to 30, inclusive;
sec. 32, E½;
secs. 33 to 36, inclusive.
Tps. 42 to 44 N., R. 64 W.
T. 45 N., R. 64 W.,
secs. 2 to 11 and 14 to 36, inclusive.
T. 46 N., R. 64 W.,
secs. 4 to 9, 16 to 21, 28 to 34, inclusive;
sec. 35, S½.
Tps. 47 and 48 N., R. 64 W.
T. 41 N., R. 65 W.,
secs. 1, 12, 13, 24 and 25.
Tps. 42 to 48 N., R. 65 W.
T. 41 N., R. 66 W.,
secs. 3 and 4;
sec. 5, N½;
sec. 6, N½;
sec. 10, N½N½;
sec. 19, S½;
sec. 20, S½;
sec. 21, W½SW¼;
sec. 28, W½NW¼;
sec. 29, N½;
sec. 30, N½.
Tps. 42 to 48 N., R. 66 W.
T. 45 N., R. 67 W.,
secs. 19 to 36, inclusive.
T. 46 N., R. 67 W.,
secs. 1, 2, 11 to 14, 23 to 26, inclusive, 35 and 36.
T. 47 N., R. 67 W.,
sec. 13;
sec. 14, E½;
secs. 23 to 26, 35 and 36.
T. 48 N., R. 67 W.,
sec. 25.

The area described, including both public and non-public lands, aggregates approximately 659,494 acres.

HARRY S. TRUMAN

THE WHITE HOUSE,
March 24, 1949.

[F. R. Doc. 49–2329; Filed, Mar. 25, 1949; 10:37 a. m.]

RULES AND REGULATIONS

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF AGRICULTURE

Under authority of § 6.1 (a) of Executive Order 9830, and at the request of the Secretary of Agriculture, the Commission has determined that the position of Director of the Office of Foreign Agricultural Relations should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.111 is amended by the addition of a paragraph (m) as follows:

§ 6.111 *Department of Agriculture.* * * *

(m) *Office of Foreign Agricultural Relations.* (1) The Director.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 9830, Feb. 24, 1947, 12 F. R. 1259, 3 CFR, 1947 Supp., E. O. 9973, June 28, 1948, 13 F. R. 3600, 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 49-2262; Filed, Mar. 25, 1949; 8:50 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Orange Reg. 162]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.432 *Orange Regulation 162*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR and Supps. Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e . s. t., March 28, 1949, and ending at 12:01 a. m., e. s. t., April 11, 1949, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(ii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(iii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 or U. S. No. 2 Bright unless such oranges (*a*) are in the same container with oranges which grade at least U. S. No. 1 Russet and (*b*) are not in excess of 50 percent, by count, of the number of all oranges in such container; or

(iv) Any oranges, except Temple oranges, grown in Regulation Area I or Regulation Area II which are of a size (*a*) smaller than a size that will pack 288 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box, or (*b*) larger than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, the terms "handler," "ship," "Regulation Area I," and "Regulation Area II" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "U. S. No. 3," "standard pack," "container," and "standard nailed box" shall each have the same meaning as when used in the United States Standards for Oranges (13 F. R. 5174, 5306). Shipments of Temple oranges grown in the State of Florida are subject to the provisions of Orange Regulation 159 (14 F. R. 501, 637). (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR and Supps. Part 933)

Done at Washington, D. C., this 23d day of March 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-2287; Filed, Mar. 25, 1949; 8:49 a. m.]

[Lemon Reg. 312]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.419 *Lemon Regulation 312*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Cum. Supp., 953.1 et seq.; 13 F. R. 766), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., March 27, 1949, and ending at 12:01 a. m., P. s. t., April 3, 1949, is hereby fixed as follows:

(i) District 1: 325 carloads;

(ii) District 2: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," and "District 2" shall have the same meaning as is given to each such term in the said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 24th day of March 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

DISTRICT NO. 1

Storage date: March 20, 1949.

[12:01 a. m. Mar. 27, 1949, to 12:01 a. m. Apr. 10, 1949]

Handler	Prorate base (percent)
Total	100.000
American Fruit Growers, Inc., Corona	.334
American Fruit Growers, Inc., Fullerton	1.258
American Fruit Growers, Inc., Lindsay	.000
Hazeltine Packing Co	1.772
Ventura Coastal Lemon Co	1.109
Ventura Pacific Co	2.555
Total A. F. G	7.028
Klink Citrus Association	.211
Lemon Cove Association	.066
Glendora Lemon Growers Association	1.603
La Verne Lemon Association	.619
La Habra Citrus Association, The	1.283
Yorba Linda Citrus Association, The	1.038
Escondido Lemon Association	7.446
Alta Loma Heights Citrus Association	.257
Etiwanda Citrus Fruit Association	.540
Upland Lemon Growers Association	4.638
Central Lemon Association	.762
Irvine Citrus Association, The	1.368
Placentia Mutual Orange Association	1.557
Corona Citrus Association	.344
Corona Foothill Lemon Co	1.921
Jameson Co	.748
Arlington Heights Citrus Co	.459
College Heights Orange & Lemon Association	1.418
Chula Vista Citrus Association, The	1.331
El Cajon Valley Citrus Association	.276
Fallbrook Citrus Association	2.585
Lemon Grove Citrus Association	.483
San Dimas Lemon Association	2.016
Carpinteria Lemon Association	1.824
Carpinteria Mutual Citrus Association	1.923
Goleta Lemon Association	1.486
Johnston Fruit Co	5.674
North Whittier Heights Citrus Association	.721
San Fernando Heights Lemon Association	2.481
Sierra Madre-Lamanda Citrus Association	2.231
Tulare County Lemon & Grapefruit Association	.505
Briggs Lemon Association	1.070
Culbertson Lemon Association	1.014
Fillmore Lemon Association	1.453
Oxnard Citrus Association	6.117
Rancho Sespe	.698
Santa Clara Lemon Association	2.163
Santa Paula Citrus Fruit Association	3.352
Saticoy Lemon Association	2.347
Seaboard Lemon Association	4.957
Somis Lemon Association	2.332
Ventura Citrus Association	.530
Limoneira Company	3.410
Teague-McKevett Association	.808
East Whittier Citrus Association	.758
Leffingwell Rancho Lemon Association	.574
Murphy Ranch Co	1.243
Whittier Citrus Association	.375
Whittier Select Citrus Association	.156
Total C. F. G. E	83.171
Chula Vista Mutual Lemon Association	.537
Escondido Cooperative Citrus Association	.481

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 1—continued

Handler	Prorate base (percent)
Index Mutual Association	.126
La Verne Cooperative Citrus Association	2.197
Orange Belt Fruit Distributors	2.822
Orange Cooperative Citrus Association	.043
Ventura County Orange & Lemon Association	2.833
Whittier Mutual Orange & Lemon Association	.264
Total M. O. D	9.303
California Citrus Groves, Inc., Ltd	.000
Coleman, Fern Hill	.000
Dunning, William A	.000
El Rio Lemon Co	.000
Evans Bros. Packing Co	.028
Flint, Arthur E	.000
Harding and Leggett	.000
Johnson, Fred	.000
Lorbeer, Carroll W. C	.093
MacDonald, Hugh J	.000
Reimers, Don H	.000
Ricca, Lawrence J	.000
Robb, Homer F	.000
Sachs, Maurice A	.000
San Antonio Orchard Co	.182
Sarnoff, Irving	.000
Sentinel Butte Corp	.000
Table Praise Avocado Co	.193
Tetley, F. A., Jr	.000
Torn Ranch	.000
Winkler, Wm	.002
Zaninovich Bros., Inc	.000
Total Independents	.498

[F. R. Doc. 49-2317; Filed, Mar. 25, 1949; 8:53 a. m.]

[Orange Reg. 273]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.419 *Orange Regulation 273*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., March 27, 1949, and ending at 12:01 a. m., P. s. t., April 3, 1949, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1: No movement; (*b*) Prorate District No. 2: No movement; (*c*) Prorate District No. 3: Unlimited movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: Unlimited movement; (*b*) Prorate District No. 2: 650 carloads; (*c*) Prorate District No. 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 (11 F. R. 10258) of the rules and regulations contained in this part. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 25th day of March 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. Mar. 27, 1949 to 12:01 a. m. Apr. 3, 1949]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.3752
A. F. G. Corona	.3155
A. F. G. Fullerton	.0467
A. F. G. Orange	.0403
A. F. G. Riverside	.7199
Hazeltine Packing Company	.1861
Placentia Pioneer Valencia Growers Association	.0642
Signal Fruit Association	.8846
Azusa Citrus Association	1.2455
Damerel-Allison Company	1.4200
Glendora Mutual Orange Association	.5511
Irwindale Citrus Association	.4705
Puente Mutual Citrus Association	.0488
Valencia Heights Orchards Association	.2079
Covina Citrus Association	2.0015
Covina Orange Growers Association	.6850
Glendora Citrus Association	.9655
Glendora Heights Orange & Lemon Growers Association	.1643
Gold Buckle Association	3.2097
La Verne Orange Association	4.2070
Anaheim Citrus Fruit Association	.0867
Anaheim Valencia Orange Association	.0260

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Eadington Fruit Company, Inc	0.3110
Fullerton Mutual Orange Association	.3063
La Habra Citrus Association	.1222
Orange County Valencia Association	.0061
Orangethorpe Citrus Association	.0260
Placentia Cooperative Orange Association	.0323
Yorba Linda Citrus Association	.0116
Escondido Orange Association	.3745
Alta Loma Heights Citrus Association	.3168
Citrus Fruit Growers	.9061
Cucamonga Citrus Association	.4372
Rialto Heights Orange Growers	.3739
Upland Citrus Association	3.6189
Upland Heights Orange Association	.9922
Consolidated Orange Growers	.0228
Frances Citrus Association	.0112
Garden Grove Citrus	.0233
Goldenwest Citrus Association	.1134
Olive Heights Citrus Association	.0399
Santa Ana-Tustin Mutual Citrus Association	.0127
Santiago Orange Growers Association	.1438
Tustin Hills Citrus Association	.0372
Villa Park Orchard Association	.0377
Bradford Brothers, Inc	.2340
Placentia Mutual Orange Association	.1625
Placentia Orange Growers Association	.4165
Yorba Orange Growers Association	.0302
Call Ranch	.6030
Corona Citrus Association	.9015
Jameson Company	.3713
Orange Heights Orange Association	1.5370
Crafton Orange Growers Association	1.1621
East Highland Citrus Association	.4070
Fontana Citrus Association	.3979
Highland Fruit Growers	.6418
Redlands Heights Groves	.8434
Redlands Orangedale Association	.9628
Break & Sons, Allen	.2407
Bryn Mawr Fruit Growers Association	.9169
Mission Citrus Association	.7733
Redlands Cooperative Fruit Association	1.5269
Redlands Orange Growers Association	.9973
Redlands Select Groves	.3671
Rialto Citrus Association	.6278
Rialto Orange Company	.3024
Southern Citrus Association	.6996
United Citrus Growers	.5895
Zilen Citrus Growers	.4411
Andrews Brothers of Calif	.0647
Arlington Heights Citrus Co	.8936
Brown Estate, L. V. W	1.7602
Gavilan Citrus Association	1.8670
Hemet Mutual Groves	.0000
Highgrove Fruit Association	.6681
Krinard Packing Company	1.6772
McDermont Fruit Company	1.9591
Monte Vista Citrus Association	1.2361
National Orange Company	.8980
Riverside Heights Orange Growers Association	1.3398
Sierra Vista Packing Association	.7218
Victoria Avenue Citrus Association	2.5219
Claremont Citrus Association	1.4015
College Heights Orange & Lemon Association	1.2752
El Camino Citrus Association	.4329
Indian Hill Citrus Association	1.5034
Pomona Fruit Growers Exchange	1.9111
Walnut Fruit Growers Association	.6501

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
West Ontario Citrus Association	1.3001
El Cajon Valley Citrus Association	.2745
San Dimas Orange Growers Association	1.4466
Ball & Tweedy Association	.0000
Canoga Citrus Association	.0745
Covina Valley Orange Association	.1992
North Whittier Heights Citrus Association	.1472
San Fernando Fruit Growers Association	.4646
San Fernando Heights Orange Association	.3961
Sierra Madre-Lamanda Citrus Association	.2667
Camarillo Citrus Association	.0106
Fillmore Citrus Association	1.3728
Ojai Orange Association	.8792
Piru Citrus Association	1.3288
Santa Paula Orange Association	.1281
Tapo Citrus Association	.0000
Ventura County Citrus Association	.0272
East Whittier Citrus Association	.0098
Whittier Citrus Association	.2182
Whittier Select Citrus Association	.0000
Anaheim Cooperative Orange Association	.0594
Bryn Mawr Mutual Orange Association	.3893
Chula Vista Mutual Lemon Association	.1381
Escondido Cooperative Citrus Association	.0896
Euclid Avenue Orange Association	3.0387
Fullerton Cooperative Orange Association	.0000
Garden Grove Orange Cooperative, Inc	.0376
Golden Orange Groves, Inc	.3001
Highland Mutual Groves	.3029
Index Mutual Association	.0039
La Verne Cooperative Citrus Association	3.3728
Mentone Heights Association	.5997
Olive Hillside Groves, Inc	.0000
Orange Cooperative Citrus Association	.0334
Redlands Foothill Groves	2.6425
Redlands Mutual Orange Association	.8887
Riverside Citrus Association	.0974
Ventura County Orange & Lemon Association	.1996
Whittier Mutual Orange & Lemon Association	.0000
Babijuice Corp. of Calif	.1729
Borden Fruit Company	.0268
California Associated Growers	.0085
Cherokee Citrus Co., Inc	.9698
Chess Co., Meyer W	.3502
Evans Brothers Packing Co	.9199
Gold Banner Association	2.0679
Granada Packing House	.1400
Hill Packing House, Fred A	.6113
Inland Fruit Dealers, Inc	.0288
MacDonald Fruit Company	.1689
Orange Belt Fruit Distributors	2.0249
Panno Fruit Co., Carlo	.0339
Paramount Citrus Association	.3052
Placentia Orchard Co	.0687
San Antonio Orchard Co	1.1524
Snyder & Sons, W. A	.4658
Wall, E. T	1.8144
Western Fruit Growers Inc., Redlands	2.7919

[F. R. Doc. 49-2330; Filed, Mar. 25, 1949; 11:34 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

PART 251—LAND USES

HOME AND INDUSTRIAL SITES, ALASKA

By virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35; 16 U. S. C. 551), and the act of February 1, 1905 (33 Stat. 628; 16 U. S. C. 472), Regulation U-16 of the rules and regulations governing the occupancy, use, protection and administration of the National Forests which constitutes § 251.7, Part 251, Chapter II, Title 36 of the Code of Federal Regulations is revised to read as follows:

§ 251.7 *Home and industrial sites in Alaska.* (Reg. U-16) A special use permittee who has constructed upon national forest lands within the Territory of Alaska permanent and substantial improvements for purposes of trade, manufacture, or other productive industry, in connection with which there are reasonable prospects for the establishment of a permanent industry, or who has occupied land (not exceeding 5 acres) under a special use homesite permit as a yearlong residence in a habitable house for three years, may apply to the Chief of the Forest Service for the elimination from the national forest of the land so occupied in order that it may be entered by the applicant under the provisions of section 10 of the act of May 14, 1898, as amended (48 U. S. C. 461–462). Upon determination, after investigation, that permanent and substantial improvements designed for trade, manufacture, or other productive industry exceeding in value the estimated value of the lands for national forest purposes have been lawfully constructed with reasonable prospects of establishing a permanent industry, or that the land has been so occupied under a special use homesite permit as a yearlong residence for three years the Chief of the Forest Service will recommend the elimination of the land used and needed, not exceeding a total of 80 acres for an industrial site or five acres for a homesite, from the national forest. (30 Stat. 35, 33 Stat. 628; 16 U. S. C. 551, 472)

Issued this 22d day of March 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-2256; Filed, Mar. 25, 1949; 8:48 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

[3d Gen. Rev. of Export Regs., Amdt. 55]

PART 372—GENERAL LICENSES

EXPORTATION OF RELIEF SHIPMENTS

Section 372.22 *Exportation of relief shipments; "RLS"* is amended in the following particulars:

Paragraph (b) is amended to read as follows:

(b) The following specified commodities and all commodities which may be exported under the general license set forth in § 372.7 may be exported under the provisions of this general license:

Dept. of Comm., Sched. B No.	*Commodity*
999810	Food.
	Except:
999810	Meat products on Positive List.
999820	Clothing (new and used).
999830	Blankets and bedding.
999840	Drugs and biological supplies.
	Except:
	Medicinal and pharmaceutical preparations remaining on the Positive List.
999850	New and used surgical, sanitary, and hospital supplies and equipment.
	Except:
999850	X-ray tubes and apparatus.
999850	Electrotherapeutic apparatus.
999850	Microscopes.
999850	Precious metals for dentistry.
999850	Dental operating equipment.
999850	Electrocardiographs.
999850	Cystoscopes.
999850	Scientific instruments.
999890	Textiles, wool and cotton.
999890	Yarns, knitting and darning wool.
999890	Thread, sewing.
999890	Pins and needles.
999890	Sewing machines, domestic.
999890	Shoe repair equipment for manual operation.
999890	Animal oils and fats, inedible.
999890	Vegetable oils and fats, inedible.
999890	Seeds, except oilseeds.
999890	Soap.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

This amendment shall become effective March 18, 1949.

Dated: March 22, 1949.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49-2272; Filed, Mar. 25, 1949; 8:51 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter II—Economic Cooperation Administration

[ECA Reg. 1, Amended Order 2]

PART 201—PROCEDURES FOR FURNISHING ASSISTANCE TO PARTICIPATING COUNTRIES

ORDER FOR DELIVERY IN SECOND QUARTER 1949

Order No. 2 is amended to read as follows:

Pursuant to the powers reserved in § 201.21 (formerly § 1111.21) of ECA Regulation 1, the Administrator hereby waives the provisions of the regulation in the following respect:

Notwithstanding the provisions of § 201.12 (formerly § 1111.12), an importer may place and a supplier may accept an order for delivery in the second quarter 1949 identified by a Procurement Authorization number for the fourth quarter 1948 or the first quarter 1949, except where delivery is otherwise restricted in the Procurement Authorization. Delivery of such an order, however, must be made before July 1, 1949, and procurement must have been contracted for before April 1, 1949.

(Secs. 111 (b) (1), 403, Pub. Law 472, 80th Cong.)

PAUL HOFFMAN,
Administrator for
Economic Cooperation.

[F. R. Doc. 49-2253; Filed, Mar. 25, 1949; 8:49 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter III—Public Housing Administration, Housing and Home Finance Agency

PART 320—LOW-RENT HOUSING AND SLUM CLEARANCE PROGRAM; POLICY

EXCLUSION OF MILITARY DISABILITY AND DEATH BENEFITS IN DETERMINING ELIGIBILITY FOR LOW-RENT PROJECTS

In § 320.7, *Exclusion of military disability and death benefits in determining eligibility for low-rent projects*, paragraph (a) (1) is amended by deleting the last six lines beginning "When the total net income".

(Sec. 502 (b), Pub. Law 901, 80th Cong.)

Approved: March 18, 1949.

[SEAL] JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 49-2246; Filed, Mar. 25, 1949; 8:58 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1726]

PART 137—EVIDENCE OF NATURALIZATION REQUIRED TO ESTABLISH CITIZENSHIP IN PUBLIC LAND CASES [1]

Part 137 is completely revised, as follows:

Sec.
137.1 Evidence of citizenship status.
137.2 Statement required of married women and widows.

§ 137.1 *Evidence of citizenship status.*[2] (a) In cases where proof of citizenship status is required, the manager may accept a statement of the applicant giving the facts as to such status, which statement should include the date of the alleged naturalization or declaration of intention, the title and location of the court in which instituted, and, when available, the number of the document in question, if the proceeding has been had since September 27, 1906. In addition, in cases of naturalization prior to September 27, 1906, there should be given the date and place of the applicant's birth and the foreign country of which he was a citizen or subject.

The citizenship showing may be incorporated in any of the forms prescribed for use in connection with the entry of public lands. Where the necessary data have been given, the manager will accept same and proceed with the case.

(b) The manager may accept the following evidence of a party's citizenship status, where proof of such status is required:

(1) A declaration of intention to become a citizen of the United States executed not more than seven years prior to the date of the filing of the public land application (a declaration more than seven years old is invalid); or

(2) An acknowledgment from the clerk of court (Immigration and Naturalization Service Form N-414) of the filing of a petition for naturalization; or

(3) An original certificate of naturalization or duplicate issued by the Immigration and Naturalization Service in lieu of one lost, mutilated or destroyed.

Any document listed in this paragraph will be returned by the Bureau of Land Management to the party entitled thereto, as soon as it has served the purpose for which it is submitted. (R. S. 453, 2478; 43 U. S. C. 2, 1201)

§ 137.2 *Statement required of married women and widows.* A married woman, or widow, who is required to furnish evidence of citizenship in this country in connection with an application or entry under the public land laws must furnish a statement showing the facts upon which she bases her claim to such citizenship.[3]

(a) A married woman must show the date of her marriage.

(b) A widow must show the date of her marriage and the date of the death of the husband.

(c) If a married woman or widow claims citizenship through her husband, she must show the facts as to his citizenship and that they were married prior to September 22, 1922. If he acquired such citizenship by naturalization, satisfactory evidence of the naturalization must be furnished in the manner provided by § 137.1.

(d) If applicant was married prior to March 3, 1931, she must show the facts as to her husband's citizenship. An applicant who married on or after March 3, 1931, need not make any showing as to the citizenship of her husband.

An applicant who claims citizenship through her own naturalization separate and apart from the naturalization of the husband or who bases her right to file a particular application on the filing by herself of a declaration of intention to become a citizen must in the manner provided by § 137.1, furnish satisfactory evidence of her naturalization or of the filing of the declaration.

[1] This part does not deal with establishing citizenship by birth.

[2] Title 18, U. S. C., sec. 1001, makes it a crime for any person knowingly and wilfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

[3] See sec. 3, act of March 2, 1907 (34 Stat. 1228), act of September 22, 1922 (42 Stat. 1021), act of March 3, 1931 (46 Stat. 1511), and the act of June 25, 1936 (49 Stat. 1917), as amended by the act of July 2, 1940 (54 Stat. 715), and section 317 (b) of the Nationality Act of 1940 (54 Stat. 1146-1147, 8 U. S. C. 717).

An applicant who fails to make the showing required, as stated, should be allowed 30 days from receipt of notice within which to do so, or to appeal. (R. S. 453, 2478; 43 U. S. C. 120)

NOTE: The reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MARION CLAWSON,
Director.

Approved: March 18, 1949.

MASTIN G. WHITE,
Acting Assistant Secretary of the Interior.

[F. R. Doc. 49-2245; Filed, Mar. 25, 1949; 9:02 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 32—SOUTHWESTERN REGION

BITTER LAKE NATIONAL WILDLIFE REFUGE, NEW MEXICO; FISHING

Basis and purpose. On the basis of investigations and reports of field representatives of the Fish and Wildlife Service, it has been determined that the fishing season on the Bitter Lake National Wildlife Refuge can be extended without interfering with the management of the area for wildlife.

Section 32.41 is revised as follows:

§ 32.41 *Fishing permitted.* Noncommercial fishing is permitted in the waters of the Bitter Lake National Wildlife Refuge specified in § 32.42 in accordance with the provisions of Parts 18 and 21 of this Chapter and subject to the conditions, restrictions and requirements of §§ 32.42 to 32.47. (50 CFR 21.41, 13 F. R. 9351)

Dated: March 21, 1949.

[SEAL] ALBERT M. DAY,
Director.

[F. R. Doc. 49-2244; Filed, Mar. 25, 1949; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR, Part 301]

PINK BOLLWORM QUARANTINE

NOTICE OF PROPOSED AMENDMENTS TO REGULATED AREAS

Notice is hereby given under section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture, pursuant to section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161) is considering amending § 301.52-2 of the regulations supplemental to Quarantine No. 52 relating to the pink bollworm (7 CFR 301.52-2; 13 F. R. 3175), as follows:

1. Add to the areas designated as lightly infested areas Crockett and De Witt Counties, Texas, and Curry, De Baca, and Quay Counties, New Mexico.

2. Remove from the areas designated as lightly infested areas the counties of Brazoria, Chambers, Jefferson, Liberty, Orange, and that part of Harris County lying east of the San Jacinto River and its tributary, the east fork of the San Jacinto River, and north of the Houston Ship Channel, in the State of Texas.

It is proposed to add the counties of Crockett and De Witt, Texas, and the county of Quay, New Mexico, to the lightly infested areas as infestations of the pink bollworm have been discovered in such counties. Curry and De Baca counties, New Mexico, although uninfested by the pink bollworm, are being considered for similar addition because there are no gins in these counties and all cotton grown therein is ginned at plants located in infested sections. De Witt County, Texas, was placed under State emergency quarantine by a proclamation of the Governor, and an amendment to the State pink bollworm quarantine covering the operation of gins in that county was effective September 29, 1948.

Texas counties being considered for removal from the lightly infested areas have been under regulation for the past three years. During that time intensive annual field surveys and inspection of trash from gins handling cotton produced therein have failed to disclose any further evidence of pink bollworm infestation there. Cooperating officials of the State of Texas concur in this action, and are taking steps to remove these counties from State regulation.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 15 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 22d day of March 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-2255; Filed, Mar. 25, 1949; 8:48 a. m.]

Production and Marketing Administration

[7 CFR, Part 944]

[AMA Docket No. AO 105-A6]

HANDLING OF MILK IN QUAD CITIES MARKETING AREA

NOTICE OF EXTENSION OF TIME FOR FILING WRITTEN EXCEPTIONS TO RECOMMENDED DECISION

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and orders (7 CFR Supps. 900.1 et seq.), notice is hereby given that the time within which interested parties may file exceptions to the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and order, as amended, regulating the handling of milk in the Quad Cities milk marketing area, which recommended decision was published in the FEDERAL REGISTER of March 16, 1949, (14 F. R. 1194) is hereby extended so that such written exceptions may be filed not later than the close of business on the 20th day after such publication.

Dated: March 22, 1949.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator.

[F. R. Doc. 49-2257; Filed, Mar. 25, 1949; 8:48 a. m.]

[7 CFR, Part 954]

[Docket No. AO 153-A 4]

HANDLING OF MILK IN DULUTH-SUPERIOR MARKETING AREA

NOTICE OF HEARING CONCERNING PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Supps. 900.1 et seq.), notice is hereby given of a public hearing to be held in the Federal Building, Duluth, Minnesota, beginning at 10:00 a. m. c. s. t., March 30, 1949, for the purpose of receiving evidence with respect to the proposed amendment hereinafter set forth or appropriate modifications thereof, to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Duluth-Superior marketing area (7 CFR, Supps. 954.1 et seq.). The proposed amendment has not received the approval of the Secretary of Agriculture.

Proposed amendment. Proposed by the Arrowhead Cooperative Creamery Association and the Twin Ports Cooperative Dairy Association, Inc.:

Add at the end of § 954.5 (a) (1) the following: "*Provided,* That for each of the delivery periods of May, June, July, and August, 1949, the price for Class III milk for such delivery period plus $1.00."

Add at the end of § 954.5 (a) (2) the following: *"Provided,* That for each of the delivery periods of May, June, July, and August, 1949, the price for Class III milk for such delivery period plus 60 cents."

Copies of this notice of hearing may be procured from Mr. Fred Kirkendall, Market Administrator, 2002 Superior Street, Duluth, Minnesota, or from the Hearing Clerk, United States Department of Agriculture, Room 1846, South Building, Washington 25, D. C., or may be there inspected.

Dated: March 22, 1949.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator.

[F. R. Doc. 49-2258; Filed, Mar. 25, 1949; 8:48 a. m.]

[7 CFR, Part 985]

[Docket No. AO-193]

HANDLING OF EMPEROR GRAPES GROWN IN CALIFORNIA

DETERMINATION OF REFERENDUM RESULTS

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 61 Stat 208, 707), and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR and Supps. 900.1 et seq.; 13 F. R. 8585), a public hearing was held at Exeter, California, beginning on May 10, 1948, upon a proposed marketing agreement and a proposed marketing order regulating the handling of Emperor grapes grown in the State of California. The Acting Assistant Administrator of the Production and Marketing Administration, on August 16, 1948, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding (13 F. R. 4821, 5059, 5283); and the decision of the Secretary of Agriculture was issued on January 18, 1949 (14 F. R. 342, 383), together with an order (14 F. R. 349) directing that a referendum be conducted among producers of Emperor grapes to determine whether such producers favored the issuance of the aforesaid marketing order.

Such referendum having been held and duly concluded, it is hereby found and determined that the issuance of the said marketing order is not favored either by (1) at least two-thirds of the producers who participated in the referendum on the question of its approval and who, during the period June 1, 1947 through May 31, 1948 (determined to be the representative period), were engaged in the production of Emperor grapes grown in the State of California or (2) by producers who participated in said referendum on the question of its approval and who, during the aforesaid representative period, produced for market at least two-thirds of the volume of Emperor grapes produced for market, within the State of California, during said period, by all producers who participated in said referendum; and that the said marketing order, therefore, shall not be made effective.

Done at Washington, D. C. this 22d day of March 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-2259; Filed, Mar. 25, 1949; 8:48 a. m.]

NOTICES

INTERSTATE COMMERCE COMMISSION

ORGANIZATION AND ASSIGNMENT OF WORK

CORRECTED NOTICE

MARCH 21, 1949.

The Interstate Commerce Commission announces that it has amended its order as to assignment of work, entered June 8, 1942, as amended, pursuant to the provisions of section 17 of the Interstate Commerce Act, as amended, and section 3 (a) of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. Supp. 1001), by revising section 11, *Bureau organization,* so that the first paragraph of subdivision (d), *Bureau of Formal Cases*—(1) *Functions,* shall read as follows:

(d) *Bureau of Formal Cases*—(1) *Functions.* This bureau, headed by a Chief Examiner, handles the Commission's formal proceedings in connection with rates, fares, charges, classifications, regulations and practices of carriers under Parts I, III, and IV, and in certain motor-carrier proceedings specified in (v) hereafter, except those assigned to the Commission, a division or to an individual Commissioner for administrative handling. The cases fall in the following categories: (i) hearings on general investigations instituted by the Commission on its own motion, and complaint and answer cases, (ii) hearings growing out of orders for investigation and suspension of newly filed rates by reason of protests, or on the Commission's own motion, (iii) hearings on applications under section 4 (49 U. S. C. 4) and other sections of the act, (iv) hearings on applications for operating authority under Parts III and IV of the act, (v) hearings in motor-carrier proceedings subject to the provisions of sections 7 and 8 of the Administrative Procedure Act which arise under section 5, Part I, or under Part II of the act, wherein an employee of the Commission assigned to the Bureau of Motor Carriers performs any investigative or prosecuting function, and (vi) hearings on matters arising under section 5a relating to agreements between or among carriers.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 49-2250; Filed, Mar. 25, 1949; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 3232, 3295]

WIEN ALASKA AIRLINES, INC., AND CORDOVA AIR SERVICE, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith of Cordova Air Service, Inc., Docket No. 3232, over its Cordova-Katalla-Cape Yakataga route; and Wien Alaska Airlines, Inc., Docket No. 3295, over its routes certificated for the transportation of mail.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearings in the above-entitled proceedings are assigned to be held on March 29, 1949, at 9:30 a. m. (eastern standard time), in Room 2049, Temporary Building No. 4, Seventeenth Street and Constitution Avenue NW., Washington, D. C., before Examiner James M. Verner.

Dated at Washington, D. C., March 23, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-2273; Filed, Mar. 25, 1949; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6206]

IDAHO POWER CO.

NOTICE OF APPLICATION

MARCH 22, 1949.

Notice is hereby given that on March 21, 1949, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Idaho Power Company, a corporation organized under the laws of the State of Maine and doing business in the States of Oregon, Idaho and Nevada, with its principal business office at Boise, Idaho, seeking an order authorizing the issuance of up to 200,000 shares of Common Stock, $20 par value, to be issued on or about May 1, 1949; up to 10,000 shares of 4% Preferred Stock, $100 par value, to be issued on or after May 1, 1949; and short-term bank notes for interim borrowings during 1949, aggregating $4,000,000, in addition to amounts permitted under the limitations provided in section 204 (e) of

the Federal Power Act. The Proposed Stock, will be sold to underwriters (for public offering and resale by said underwriters to the public) at a price, to be determined at the time of execution of underwriting agreements; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 8th day of April 1949, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 49-2243; Filed, Mar. 25, 1949; 8:46 a. m.]

[Docket Nos. G-1065, G-1070]

EAST TENNESSEE NATURAL GAS CO. AND TENNESSEE GAS TRANSMISSION CO.

ORDER OMITTING INTERMEDIATE DECISION PROCEDURE AND FIXING DATE FOR FILING BRIEFS AND FOR ORAL ARGUMENT

On March 11, 1949, East Tennessee Natural Gas Company filed, in Docket No. G-1065, a motion requesting, among other things, the omission of the intermediate decision procedure, and further, requesting opportunity for oral argument before the Commission in lieu of the filing of briefs. No objection to the granting of this motion has been filed by any parties to the proceedings.

On March 9, 1949, hearings in the above-entitled proceedings commenced pursuant to Commission's order of February 21, 1949, and are currently in progress. Under its amended application in Docket No. G-1065 East Tennessee is seeking, pursuant to section 7 of the Natural Gas Act, as amended, a certificate of public convenience and necessity authorizing the construction and operation of natural gas pipe line facilities for the purpose of selling and delivering 60,000 Mcf per day of natural gas to the Atomic Energy Commission for use in its facilities at Oak Ridge, Tennessee, pursuant to a contract entered into by the Atomic Energy Commission with East Tennessee.

On January 28, 1949, a Voluntary Plan under Public Law No. 395, 80th Congress, was duly approved by the Secretary of Commerce and the Attorney General of the United States, providing for the allocation of steel products for use in the construction of the proposed 22-inch steel transmission pipe subject of the amended application in Docket No. G-1065. Under the Plan, before delivery of pipe can be accepted, East Tennessee must certify to the participating steel producers that it has been granted by this Commission a certificate of public convenience and necessity authorizing the construction and operation of the proposed facilities to serve the Atomic Energy Commission.

East Tennessee in its motion states that one of the steel producers which is cooperating under the said Plan and which proposes to furnish approximately one-half of the steel pipe, is now rolling 22-inch pipe and is insistent that it be advised at an early date whether East Tennessee will be authorized to accept delivery, inasmuch as the said steel mill is prepared to commence deliveries during the current month of March 1949. Evidence presented at the hearings is that the steel producers participating under the Plan are the National Tube and Youngstown Sheet and Tube Companies, each to supply about one-half of the required steel pipe. Estimates submitted show that Youngstown is expected to start shipping pipe about March 25 and to complete its shipments during April 1949. Deliveries by National Tube are expected later, during the spring and summer of this year.

At the hearings East Tennessee presented evidence showing that it has entered into a trust agreement, and a short-term bank loan maturing on May 12, 1949, to finance temporarily the steel pipe being produced by Youngstown. Provision has been made for shipping the Youngstown pipe to and storing it temporarily at Baden, Pennsylvania, with title to the pipe being given to the trustees named in the trust agreement, pending and subject to East Tennessee obtaining a certificate for, and completing on or before May 12, 1949, the further financing of, the G-1065 project. From the testimony at the hearing it appears that if East Tennessee is successfully to complete its further financing as proposed by it for the G-1065 facilities, it needs to obtain from this Commission a certificate no later than two weeks preceding May 12, 1949, the date of maturity of the mentioned short-term bank loan. This appears essential if East Tennessee is to discharge its obligation under the said bank loan and is to obtain title to and accept delivery of the Youngstown pipe.

In its motion for omission of the intermediate decision procedure, East Tennessee further states that the season of the year favorable for pipe line construction is fast approaching and that it is imperative from the standpoint of prompt completion of its G-1065 project and from the standpoint of achieving economical costs that East Tennessee be able to proceed with its proposed project with the least possible delay. Testimony at the hearing indicates that if the G-1065 project is to be authorized and constructed during the favorable construction season of this year, authorization should be granted so that actual construction may be commenced not later than early in May 1949. To commence construction by such time, earlier authorization is required to permit the survey and other work necessary before the actual construction can be commenced.

In support of the omission of the intermediate decision procedure and in the interest of expediting early decision in the proceedings, East Tennessee in its motion further states that the service proposed by it in Docket No. G-1065 has been certified by the Atomic Energy Commission to be necessary in the interest of the common defense and security, and that it is imperative that such service be authorized at the earliest possible date. The Atomic Energy Commission in its intervening petition filed herein has asserted that the natural gas sought to be obtained through means of the facilities proposed by East Tennessee in Docket No. G-1065 is essential to assure continuity of operation of the Atomic Energy Commission's facilities at Oak Ridge, Tennessee, which facilities are operated for the purpose of producing Uranium-235 and conducting research in the field of atomic science. That Commission further stated in its petition and its Director of Production has testified at the hearing that its production plant at Oak Ridge is of the continuous-type operation and that any interruption in the operation thereof may have the gravest consequences to the common defense and security of this country.

Upon consideration of the foregoing, the aforesaid motion of March 11, 1949, and the record herein, the Commission finds:

(1) Due and timely execution of its functions imperatively and unavoidably requires that the Commission omit the intermediate decision procedure and forthwith render final decision in these proceedings.

(2) Good cause exists for providing for oral argument before the Commission and for providing opportunity for the filing of briefs and/or proposed findings and conclusions with supporting reasons therefor, as hereinafter ordered.

The Commission orders:

(A) The intermediate decision procedure in the proceedings in Docket No. G-1065, be and the same is hereby omitted in accordance with the provisions of § 1.30 (c) of the Commission's rules of practice and procedure.

(B) Briefs and/or proposed findings and conclusions with supporting reasons therefor be filed on or before March 31, 1949, and oral argument be had before the Commission on April 4, 1949, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

(C) Each of the parties to these proceedings notify the Commission's Presiding Examiner not later than March 28, 1949, of the amount of time, if any, desired by such party for the presentation of oral argument on the date hereinbefore set.

Date of issuance: March 21, 1949.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 49-2252; Filed, Mar. 25, 1949; 8:47 a. m.]

[Docket No. G-1165]

WISCONSIN SOUTHERN GAS CO.

ORDER FIXING DATE OF HEARING

On January 25, 1949, Wisconsin Southern Gas Company (Applicant) filed an application, as supplemented on March 9, 1949, for

(a) A certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, au-

thorizing the acquisition, construction and operation of certain natural-gas transmission facilities, subject to the jurisdiction of the Commission.

(b) An order by the Commission, under section 7 (a) of the Natural Gas Act, requiring Natural Gas Pipeline Company of America (Pipeline Company) to extend its facilities and establish connection with the facilities which Applicant proposes to construct and acquire, and to supply Applicant with such quantities of natural gas as Applicant may be entitled to receive under rate schedules already filed by Pipeline Company with the Commission.

The facilities are more particularly described in the application on file with the Commission and open to public inspection.

On February 28, 1949, Pipeline Company filed its answer to that part of the application mentioned in subparagraph (b) above, in which Pipeline Company indicated its willingness to make the proposed connection and to supply Applicant in accordance with Applicant's request.

Applicant has requested that its application be heard under the shortened procedure provided by §§ 1.32 (a) and 1.32 (b) of the Commission's rules of practice and procedure; and no request to be heard or protest has been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on February 8, 1949 (14 F. R. 551).

The Commission finds: This proceeding is a proper one for disposition under the provisions of §§ 1.32 (a) and 1.32 (b) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on April 7, 1949, at 9:30 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: March 22, 1949.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 49-2260; Filed, Mar. 25, 1949; 8:49 a. m.]

[Docket No. G-1178]

SOUTHERN UNION GAS CO.

NOTICE OF APPLICATION

MARCH 22, 1949.

Notice is hereby given that on March 10, 1949, Southern Union Gas Company (Applicant), a Delaware corporation having its principal place of business at Dallas, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the acquisition from Durango Natural Gas Company (Durango Natural), and the operation of the following described natural-gas pipe-line facilities:

(1) A 6-inch natural-gas main transportation pipe line approximately 33.7 miles in length extending from a point in the Ute Dome gas field located in the SW¼ of SW¼ of Section 36, T. 32 N., R. 14 W., N. M. P. M., in a general northeasterly direction to a point of connection with the natural-gas distribution system serving the City of Durango and its environs in La Plata County, Colorado which point of connection is located in SE¼ of SW¼ of Section 29, T. 35 N., R. 9 W., N. M. P. M., together with meters, valves, regulators, metering and regulating stations, drips and related facilities incorporated in or appurtenant to such pipe line, including river, highways and railway crossings.

(2) A 2-inch lateral pipe line approximately 17,600 feet in length connecting said main transportation pipe line with the Fort Lewis School, a state institution south of Durango.

Applicant states that it proposes to acquire, in addition to the above-described main transportation pipe line and Fort Lewis School lateral line, Durango Natural's complete natural-gas distribution system which serves Durango, Colorado, and environs and its natural-gas gathering system connecting supply wells in the Ute Dome Field with said main line.

It is stated in the application that the natural gas requirements of Durango, Colorado, have been supplied with gas from the Ute Dome Field for many years, but that due to depletion, the reserves from that field are inadequate to meet peak-day requirements in Durango. Applicant states that natural gas from said Ute Dome Field can be used during periods when low line pressures afford adequate capacity, and in addition to using such gas, applicant will inject high-pressure natural gas from its source of supply in the Barker Dome Field through an interconnection with Applicant's existing pipe line which extends from the Barker Dome Field to Santa Fe, New Mexico. It is stated that natural gas reserves available to Applicant, including those in the Barker Dome Field, have been estimated as representing a total of 272.6 billion cubic feet on January 1, 1948, from which total withdrawals of approximately 9.3 billion cubic feet were made during 1948, a reported 544,048.6 Mcf of which were made through the Durango System. Present maximum daily demands for natural gas through the facilities to be acquired are stated in the application to be estimated at 2,500 Mcf, and Applicant calculates the maximum main line delivery capacity at the city gate to be 7,200 Mcf per day.

The estimated over-all capital cost of the facilities proposed to be acquired is stated to be $350,000, subject to increase by the cost, not to exceed $6,000, of certain improvements which may be made prior to such acquisition. Applicant states that it has ample working capital with which to finance such cost so that no additional working capital requirements will need to be met incident to the proposed acquisition.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Southern Union Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 or 1.10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947).

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 49-2251; Filed, Mar. 25, 1949; 8:47 a. m.]

[Project No. 2009]

VIRGINIA ELECTRIC AND POWER CO.

ORDER SETTING HEARING

On October 6, 1948, Virginia Electric and Power Company of Richmond, Virginia, filed an application for a license under the Federal Power Act, which would authorize the construction, operation, and maintenance of a proposed hydroelectric development (Project No. 2009) on the Roanoke River near Roanoke Rapids, North Carolina.

The Roanoke River Basin was made the subject of study by the Chief of Engineers of the Department of the Army and the results of that study were submitted to Congress (House Doc. No. 650, 78th Cong., 2d Sess.). The general plan of the Army Engineers for comprehensive development of the Roanoke River Basin was approved by Congress in the Flood Control Act of 1944 (58 Stat. 887). Congress in that act also authorized and appropriated funds for the development of the Roanoke River Basin for flood control and other purposes at two sites (Buggs Island and Philpott) upstream from the site proposed for development by the applicant herein, and such construction of the facilities at the Buggs Island and Philpott sites has been commenced by the United States.

The applicant's plan for development of the Roanoke Rapids site does not conform to the recommendations of the Army Engineers. The Secretary of the

Interior has notified the Commission that his Department will oppose the issuance of license to the applicant on two grounds: (1) That since Congress has approved the plan of the Army Engineers for development of the Roanoke River Basin, which includes the Roanoke Rapids site, this approval constitutes a determination by Congress that the sites studied and recommended for development by the Army Engineers should be developed by the United States itself, and thus the Commission lacks jurisdiction to entertain the application; and (2) that the applicant's plan for development, differing as it does from the proposal of the Army Engineers, would not be best adapted to conserve and utilize the water power resources of the Roanoke River Basin in the public interest.

In addition to the opposition described above, the Department of the Interior has submitted certain recommendations to the Commission relative to the construction and operation of any project at Roanoke Rapids, for the protection of fish and wildlife resources in the region to be affected by the proposed project.

The Commission finds: The applicant, the staff, and all others interested should be afforded an opportunity to present their views together with pertinent data relative to (1) the question of the Commission's authority under the Federal Power Act to entertain the application for license herein; (2) the question of whether the development of the Roanoke Rapids site should be undertaken by the United States itself; and (3) the question of whether the plans proposed by the applicant for development of the Roanoke Rapids site are best adapted to a comprehensive plan for improving or developing the Roanoke River for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water power development, and for other beneficial public uses, including recreational purposes; or, if such plans require modification, what modification is necessary in order to warrant approval under section 10 (a) of the Federal Power Act.

The Commission orders: A public hearing be held commencing on May 12, 1949, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

Date of issuance: March 22, 1949.

By the Commission.

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 49-2261; Filed, Mar. 25, 1949; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-51, 59-82]

MEMPHIS STREET RAILWAY CO. ET AL.

ORDER APPROVING PLAN AND DIRECTING ACTION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 22d day of March 1949.

In the matter of The Memphis Street Railway Company, Memphis Generating Company, National Power & Light Company, File No. 54-51; The Memphis Street Railway Company, File No. 59-82, respondent.

National Power & Light Company ("National"), a registered holding company, its subsidiary, Memphis Generating Company ("Generating"), and The Memphis Street Railway Company ("Memphis"), a subsidiary of Generating, having filed a joint application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("the act"), for approval of a plan and amendments thereto providing, among other things, for the divestment by National and Generating of all their interest in Memphis and the replacement of the outstanding preferred and common stocks of Memphis by one class of new common stock;

The Commission having instituted proceedings under section 11 (b) (2) of the act with respect to Memphis, and the proceedings on all of these matters having been consolidated for the purposes of hearing and disposition; and

Applicants having requested the Commission to enter an order finding that the transactions proposed in the plan are necessary to effectuate the provisions of section 11 (b) of the act and are fair and equitable to the persons affected thereby and having requested that such order contain recitals in accordance with the provisions and requirements of the Internal Revenue Code, as amended;

Applicants having further requested the Commission, pursuant to section 11 (e) of the act, to apply to an appropriate court, in accordance with the provisions of subsection (f) of section 18 of the act, to enforce and carry out the terms and provisions of the plan; and

Public hearings having been held, after appropriate notice, and the Commission having considered the record in the matter and having issued its findings and opinion herein;

It is ordered, That the said plan be, and hereby is, approved, subject to the terms and conditions contained in Rule U-24 and to the additional condition that the order entered herein shall not be operative to authorize the consummation of the transactions proposed in the plan until an appropriate United States District Court shall, upon application thereto, enter an order enforcing said plan.

It is further ordered, Pursuant to section 11 (b) (2) of the act and in accordance with the findings and opinion herein, that National, Generating and Memphis shall take appropriate action in a manner not in contravention with the applicable provisions of the act or the rules, regulations and orders promulgated thereunder to replace the existing preferred and common stocks of Memphis with one class of stock, namely, common stock.

It is further ordered and recited, That the issues, distributions, transfers, and exchanges of securities and the transactions specified and itemized below, all as provided by the plan, are necessary or appropriate to the integration or simplification of the holding company system of which National, Generating, and Memphis are members, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

(1) The distribution and transfer by Generating of 27,593 shares of $100 par value common stock of Memphis and the receipt of said shares of stock by National.

(2) The transfer by National and the acquisition and cancellation by Memphis in exchange for $248,337 in cash of 27,593 shares of $100 par value common stock of Memphis.

(3) The payment by Memphis of $38 per share in cash to the holders of its 21,710 shares of $100 par value 4% preferred stock and the issuance and distribution by Memphis of 347,360 shares of $5 par value common stock and the transfer and exchange of such shares of common stock by Memphis and its Preferred Stockholders for the outstanding 21,710 shares of Memphis $100 par value 4% preferred stock.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-2249; Filed, Mar. 25, 1949; 8:47 a. m.]

[File No. 70-2081]

COMMONWEALTH AND SOUTHERN CORP. (DEL.) ET AL.

ORDER GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 21st day of March 1949.

In the matter of The Commonwealth and Southern Corporation (Delaware), The Southern Company, Georgia Power Company, File No. 70-2081.

The Commonwealth and Southern Corporation ("Commonwealth"), a registered holding company, The Southern Company, a wholly owned subsidiary of Commonwealth and also a registered holding company, and Georgia Power Company ("Georgia Power"), a public utility subsidiary of The Southern Company, having filed an application pursuant to Rule U-100 of the general rules and regulations promulgated under the Public Utility Holding Company Act of 1935 for exemption from Rule U-44 thereof with respect to the following transaction:

Georgia Power owns a certain substation located in Georgia near the Steven Creek hydro-electric generating plant of South Carolina Power Company ("Power Company"), a subsidiary of South Carolina Electric & Gas Company ("Electric & Gas"), a public utility company and a holding company which has filed an exemption statement pursuant to Rule U-2. A portion of such substation is presently being utilized by Power Company in consideration of an annual payment to Georgia Power, and the remaining portion of such substation is presently being used by Georgia Power. Georgia Power now intends to sell to

Power Company for a cash consideration of $425,000, subject to closing adjustments, that portion of the substation now being used by Power Company. The sale price is approximately equivalent to the original cost of the assets to be sold, less depreciation.

Power Company and Georgia Power have filed a joint application with the Federal Power Commission seeking authorization in respect of the aforementioned transaction.

On March 25, 1948, the Commission issued an order authorizing Commonwealth, in accordance with the provisions of an agreement with Electric & Gas dated October 28, 1947, to sell to Electric & Gas all of the outstanding 800,000 shares of common stock of Power Company, then owned by Commonwealth. Such agreement between Commonwealth and Electric & Gas provided, among other things, that Power Company would, at the closing date, enter into an agreement with Georgia Power for the purchase from Georgia Power, within one year from the closing date, of the portion of the latter's substation referred to hereinabove, and which Georgia Power now intends to sell to Power Company.

It appearing to the Commission that it is not necessary or appropriate in the public interest or for the protection of investors or consumers that such transaction be subject to the requirements of Rule U-44;

It is ordered, Pursuant to the provisions of said Rule U-100 (a) that said application for exemption be, and hereby is, granted effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-2248; Filed, Mar. 25, 1949; 8:46 a. m.]

[File No. 812-422]

SHERATON ASSOCIATES, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 22nd day of March A. D. 1949.

Notice is hereby given that Sheraton Associates, Inc. ("Sheraton") of Boston, Massachusetts, has filed an application pursuant to section 3 (b) (2) of the Investment Company Act of 1940 for an order declaring that it is primarily engaged directly or through majority-owned subsidiaries or through controlled companies conducting similar types of businesses in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities.

It appears from the application that Sheraton was organized on October 30, 1945, under the laws of Massachusetts by Sheraton Corporation of America which through wholly owned or majority-owned subsidiaries and controlled companies owns and operates business and hotel properties; that Sheraton has outstanding 2,750 shares of no par capital stock, all of which are owned and held by Sheraton Corporation of America, and $146,200 face value of Participating Debentures due May 1, 1966, which were sold largely to employees and officers of the various subsidiaries and controlled companies of Sheraton Corporation of America; that Sheraton owns 10,081 shares or 31.29 percent of the preferred stock and 89,370 shares or 45.56 percent of the common stock of Thompson's Spa, Inc., which operates a chain of restaurants in Boston; that all the officers and four of the seven directors of Thompson's Spa, Inc., are officers and directors of Sheraton; that the management of Sheraton actively operates Thompson's Spa, Inc.; that Sheraton is also directly engaged as follows: (1) under the trade name of Commonwealth Service Co., it is engaged in securing and operating concessions in hotels such as hat check, shoe shine, valet, repair work, contract cleaning, etc., and (2) under the trade name of National Hotel Supply Co., it is engaged in selling supplies to hotels not affiliated with the Sheraton chain; that Sheraton is organizing a wholly owned subsidiary for the purpose of engaging in construction work, particularly in connection with making alterations or additions to hotels; that the policy of Sheraton will be to invest its funds in real estate, hotel or restaurant properties either directly or through corporations and will confine its purchases to situations where it will actually control the corporations; and that Sheraton does not intend to make any further investments in securities of any other corporation, except that it may for convenience incorporate one or more of its different branches of activities, in which event it will own all the capital stock of any such subsidiary.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may see fit to impose, may be issued by the Commission at any time after March 31, 1949, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than March 28, 1949, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-2247; Filed, Mar. 25, 1949; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 12870]

MATHILDE BAUER AND FIDELITY UNION TRUST CO.

In re: Trust agreement dated March 8, 1933, between Mathilde Bauer, donor, and Fidelity Union Trust Company, trustee, as amended. File No. D-28-3777-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Schoenfelder, Alfred Bauer, Otto Bauer, Flora Kunze, Elsa Schore, Wolfgang Bauer, Felix Bauer, and Max Bauer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Anna Schoenfelder, of Alfred Bauer, of Otto Bauer, of Flora Kunze, of Alwin Bauer, deceased, of Max Bauer, deceased, of Fanny Theodoresco (Theodorcsco), deceased, and of Kurt Bauer, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated March 8, 1933, as amended on February 6, 1935, February 28, 1938, May 22, 1939, and May 3, 1940, by and between Mathilde Bauer, donor, and Fidelity Union Trust Company, trustee, presently being administered by Fidelity Union Trust Company, trustee, 755 Broad Street, Newark 1, New Jersey,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the issue, names unknown, of Anna Schoenfelder, of Alfred Bauer, of Otto Bauer, of Flora Kunze, of Alwin Bauer, deceased, of Max Bauer, deceased, of Fanny Theodoresco (Theodorcsco), deceased, and of Kurt Bauer, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2263; Filed, Mar. 25, 1949; 8:50 a. m.]

[Vesting Order 12879]

MARY H. KAHN

In re: Trust under the will of Mary H. Kahn, deceased. File No. D-66-461-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Katherine Kahn, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the trust created under the will of Mary H. Kahn, deceased, presently being administered by the Mercantile-Commerce Bank and Trust Company, as trustee, 721 Locust Street, St. Louis, Missouri,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2264; Filed, Mar. 25, 1949; 8:50 a. m.]

[Vesting Order 12939]

AGNES EDUARDOFF

In re: Debt owing to and bonds owned by Agnes Eduardoff. F-28-25320-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Agnes Eduardoff, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Agnes Eduardoff, by Swiss Bank Corporation, 15 Nassau Street, New York, New York, arising out of a Cash Custodian Account, numbered 38554, maintained at the aforesaid Swiss Bank Corporation, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. Thirteen (13) Denver & Rio Grande Western Railroad General 5% Bonds of $500 face value each, bearing the numbers D 409 to D 421, inclusive, in bearer form and presently in the custody of the Swiss Bank Corporation, 15 Nassau Street, New York, New York, together with any and all rights thereunder and thereto including, but not limited to, any and all rights under a reorganization plan made effective April 1947,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 11, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2267; Filed, Mar. 25, 1949; 8:50 a. m.]

[Vesting Order 12920]

HERMAN FERNO

In re: Estate of Herman Ferno, deceased. File No. D-28-9949; E. T. sec. 14110.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Freda Heydt and Anna Glahn, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Herman Ferno, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Edward P. Loeser, Executor, acting under the judicial supervision of the Surrogate's Court of Monroe County, New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 11, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2265; Filed, Mar. 25, 1949; 8:50 a. m.]